

2001-51

>>> "Smith, Scott" <smithsc@hr.msu.edu> 08/12/03 11:52AM >>>

Thank you for this opportunity to comment on the changes being proposed to the rules on what is acceptable evidence in domestic abuse cases.

It seems to me that if someone has enough history that it needs to be considered in a case, it indicates a prosecutorial failure. This person should have been dealt with long ago.

If there is enough evidence to convict on any of the prior cases of abuse, why weren't they prosecuted? And if they were prosecuted, wouldn't it violate the 5th Amendment to the Constitution of the United States, being "subject for the same offence to be twice put in jeopardy of life or limb..."

It seems to me that this is just a license for prosecutors to make up for their own prior mistakes, or to appear to be "tough on crime" for their own political ends. That's not the way our Republic is supposed to operate.

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